

Message Text

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ACTION IO-10

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INFO AMEMBASSY LONDON

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C O N F I D E N T I A L USUN 6029

E.O. 11652: GDS

TAGS: ICJ, UN

SUBJECT: ICJ ELECTIONS

1. SUMMARY: LACHS (POLAND), TARAZI (SYRIA), ODA (JAPAN), ELIAS (NIGERIA) AND MOSLER (FRG) WERE ELECTED TO THE INTERNATIONAL COURT OF JUSTICE IN THE ELECTIONS HELD IN THE SECURITY COUNCIL AND THE GENERAL ASSEMBLY ON 17 NOVEMBER. THE ELECTION OF MOSLER RETAINED THE SEAT FORMERLY OCCUPIED BY JUDGE PETREN OF SWEDEN FOR THE WEO GROUP, NOTWITHSTANDING THE PERSISTENCE UNTIL THE LAST BALLOTS OF THE NORWEGIAN, SWEDISH AND FINNISH CANDIDACIES.

2. DETAILS. ON THE 1ST ROUND OF BALLOTING IN THE SC, WHERE AN ABSOLUTE MAJORITY OF 8 IS REQUIRED, LACHS RECEIVED 13, TARAZI 11 AND ODA 8. ON THE 2ND ROUND, THE TWO REMAINING SEATS, ELIAS RECEIVED 8, AND THE 3RD ROUND, FOR THE FIFTH SEAT, MOSLER OBTAINED 8. HAMBRO RECEIVED 4 VOTES ON THE 1ST ROUND, THE SAME ON THE 2ND, AND 3 ON THE 3RD, WHILE PETREN OBTAINED 4 ON THE 1ST ROUND, 1 ON THE 2ND AND NONE ON THE 3RD. TABIBI, WHO DEVELOPED AT THE THREAT TO THE WEO SEAT WERE THE GERMAN/NORDIC COMPETITION TO CONTINUE, OBTAINED 6 ON THE
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1ST BALLOT, R ON THE 2ND, AND 2 ON THE 3RD. OF INTEREST

BECAUSE OF LIBERIAN COOPERATION HERE WAS THE WEEKS OBTAINED 3 VOTES ON THE 1ST BALLOT, BUT HE FELL OFF TO 1 ON THE 2ND AND OBTAINED NONE ON THE 3RD.

3. BECAUSE OF THE LENGTH OF TIME REQUIRED TO COUNT THE FIVE-VOTE BALLOTS IN THE GA, VOTE COUNTING FOR THE 1ST ASSEMBLY BALLOT WAS IN PROCESS WHEN THE RESULTS OF THE 3ROUNDS IN THE SC BECAME GENERALLY KNOWN. THE ASSEMBLY PRODUCED THE NECESSARY ABSOLUTE MAJORITY OF 74 ON ITS 1ST ROUND OF BALLOTING FOR LACHS (102), ODA (80), AND TARAZI (77). IN ITS 2ND ROUND, FOR THE TWO REMAINING VACANCIES, THE GA PRODUCED 87 FOR ELIAS; IN THE 3RD ROUND FOR THE SINGLE REMAINING VACANCY IT DID NOT GIVE A MAJORITY TO ANY CANDIDATE; AND ON THE 4TH ROUND IT PRODUCED 78 FOR MOSLER.

4. THE HURTFUL FRG/NORDIC COMPETITION WAS PLANINLY APPARENT FROM THE 1ST ROUND IN BOTH THE COUNCIL AND THE ASSEMBLY. IN THE LATTER ON THE 1ST ROUND MOSLER RECEIVED 51 VOTES, HAMBRO 41, MANNER 25 AND PETREN 19; TABIBI RECEIVED 63. ON THE 2ND ROUND MOSLER WENT UP TO 58, HAMBRO GOT 43, MANNER AND PETREN FELL TO 7 EACH, WHILE TABIBI FELL OF REMARKABLY TO 39, THUS GIVING SOME HOPE THAT THE ASSEMBLY ELECTORATE WAS RESPECTING THE UNWIRTEN TRADITION THAT THE SEAT BEING VACATED BY PETREN IS PROPERLY A WEO SEAT. AS THE ASSEMBLY WENT INTO ITS 3NRD ROUND, THE NORWEGIANS AND SWEDES, ALTHOUGH MAKING NO PUBLIC ANNOUNCEMENT, GEGAN TO LET IT BE KNOWN THAT THEY WOULD UNDERSTAND COUNTRIES PREVIOUSLY VOTING FOR HAMBRO AND PETREN MOVING TO MOSLER. THE 3RD ROUND PRODUCED 66 FOR MOSLER, BEING AN INCREASE OF ONLY 8 OVER THE 2ND ROUND; 30 FOR HAMBRO; 6 FOR PETREN AND 3 FOR MANNER; AND 27 FOR TABIBI. AT THAT POINT, APPROXIMATELY 1:30 P.M., THE ACTING PRESIDENT ADJOURNED FOR LUNCH.

5. WE WERE CONCERNED THAT THE RECESS MIGHT PROVIDE TIME FOR THE DEVELOPMENT OF A NON-ALIGNED RAID ON THE REMAINING VACANCY. THIS THREAT WAS GREATLY LESSENNED WHEN THE GA RECONVENED AT 3:30 P.M. BY SWEDENS ANNOUNCING THAT IT WOULD NO LONGER PRESS PETREN, AND A GRACIOUS STATEMENT BY NORWAY ON BEHALF OF AMB. HAMBRO IN GENEVA THANING DELE-CONFIDENTIAL

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GATION FOR SUPPORT AND SAYING HE WAS WITHDRAWING. THE 4TH ROUND THEN PRODUCED 78 FOR MOSLER, 39 FOR TABIBI, AND 18 FOR MANNER; MOSLER WAS THUS ELECTED BY A 4 VOTE MAJORITY.

6. PARTICULAR CREDIT FOR THE RESULT SHOULD GO TO RALPH HARRY OF AUSTRALIA, THE WEO GROUP CHAIRMAN, WHO PERSISTED FOR SOME WEEKS AND THROUGH WEEKEND MEETINGS JUST BEFORE

THE ELECTION IN TRYING TO REDUCE THE COMPETITION BETWEEN WEO CANDIDATES AND TO UK FONOFF LEGAL ADVISER SIR VINCENT EVANS WHO REPEATEDLY DROM HOME RISKS INVOLVED TO THE WEO GROUP. ON THE MORING OF THE ELECTION AMB HARRY TOLD THE GROUP HIS ESTIMATE OF SUPPORT WITHIN THE GROUP WAS 15 FOR MOSLER AND 10 FOR HAMBRO. THE FRG THEN TOLD THE GROUP THAT IT WAS PREPARED TO WITHDRAW IN FAVOR OF WHICHEVER WEO OBTAINED THE BEST VOTE IN THE ASSEMBLY. DELOFF EXPRESSED APPRECIATION FOR THIS OFFER BECAUSE IT WOULD HELP TO SAVE THE SEAT FOR THE GROUP, SAID THAT IN THOSE CIRCUM- STANCES WE TOO WOULD BE GUIDED BY THE ASSEMBLY'SVIEW AS TO THE BEST WEO VOTE-GETTER, AND REITERATED THAT SAVING THE SEAT FROM AND AFGHAN OR SYRIAN RAID CONTINED TO BE OUR MAIN OBJECTIVE. AS IT TURNED OUT, MOSLER DEVELED AS THE BEST WEO VOTE-GETTER IN THE GA, MUCH TO THE SURPRISE OF MOST WEO'S WHO HAD THOUGHT HAMBRO WOULD BE MOST STRONGLY SUPPORTED THERE.

7. ODA'S ELECTION ON THE 1ST ROUND IN THE GA AND THE SC REVEALED EXTENSIVE JAPANESE LOBBYING ON A GLOBAL SCALE.

8. CONSIDERING LACHS DISSOCIATION FROM POLAND, WE BELIEVE FOUR OF THE FIVE NEWLY ELECTED JUDGES ARE MEN OF STATURE AND INTEGRITY, NOT A BAD RECORD FOR THIS 30TH SESSION OF THE ASSEMBLY. WE ARE NOT OPTIMISTIC ABOUT TARAZI.

9. IT IS ALSO INTERESTING THAT, ALTHOUGH A REAL THREAT WOULD HAVE DEVELOPED HAD NORWAY AND SWEDEN INSISTED ON STAYING IN THE RACE TO THE END, VOTERS IN THE ASSEMBLY SHOWED CONSIDERABLE RESPECT FOR THE TRADITION THAT THE PETREN SEAT BELONGS TO THE WEO'S. THE AFRO-ASIAN RAID DID NOT DEVELOP, ALTHOUGH MOSLER'S ELECTION BY A 4 VOTE
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MARGIN WAS UNCOMFORTABLY CLOSE. HAD MOSLER FAILED ON THAT 4TH ROUND, THE TABIBI CANDIDACY MIGHT HAVE OBTAINED GREATER POPULARITY AND, HAD THE MATTER GONE BACK TO THE COUNCIL, THE RESULT COULD HAVE BEEN DISASTROUS FOR THE WEO GROUP.
MOYNIHAN

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